IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.411 OF 1986

The State of Maharashtra ...Appellant
Vs.
Sopan Nivruti Kasbe
and Anr. ...Respondents.

Mr.A.R.Patil, A.G.P., for the Appellant-State.

CORAM: A.S.OKA,J.

DATED: 2ND FEBRUARY,2007.

P.C.:

1. The Appeal is still pending for effecting service of notice to the second Respondent. Though, by order dated 6th March, 2006 paper publication was allowed, till today the copies of the newspaper are not filed.

2. Heard learned A.G.P. for the Appellant-State. The challenge in the First Appeal is to the judgment and order dated 29th November, 1985 passed under the Workmen's Compensation Act, 1923, where compensation of Rs.8400/- has been awarded with penalty and interest. The submission of the learned A.G.P. is that there was no evidence on record to show that the original claimant belongs to income group of Rs.800/- to Rs.900/- per month. He submitted that the original claimant was working on daily wages as a casual

labourer.

3. I have considered this submission. The evidence has been led by the claimant to show that he belonged to wage group of Rs.800/- to Rs.900/-. There is a finding recorded by the learned Commissioner for Workmen's Compensation that there was no serious challenge to this aspect as well as to the case of the claimant that he suffered from 20% permanent disability. In view of this finding, compensation of Rs.8400/- has been awarded by the learned Commissioner.

4. No substantial question of law is involved. Appeal is dismissed.

(A.S.OKA,J.)